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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,776	03/21/2006	Sethumadavan Sanjay-Gopal	PHUS030363US	3412

7590 07/07/2010
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EXAMINER

ROY, BAISAKHI

ART UNIT	PAPER NUMBER
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3737

MAIL DATE	DELIVERY MODE
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07/07/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,776	Applicant(s) SANJAY-GOPAL ET AL.	
	Examiner BAISAKHI ROY	Art Unit 3737	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 11-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/23/08, 3/21/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Sharma et al. (6656118). Sharma et al. disclose an imaging scanner communication system or system or scanners 5 comprising a means for generating a patient information such as transducer array 20 and which is positioned in a vicinity of the scanner 5. The system includes a means for facilitating data transfer (transmit/receive switching circuitry 30 between an imaging scanner personnel located at the scanner vicinity and one or more hospital radiologists located at one or more remote locations. The system further includes a first means or transmitter 40 for transmitting first data including patient information from the scanner vicinity to the remote locations and a receiver 50 for receiving remote data sent from the remote locations. The system also includes a remote means or remote connectivity module 150 positioned at the associated remote locations and coupled to the facilitating means, for receiving data at the associated remote locations and transmitting remote data from the remote locations to the scanner vicinity (col. 4 lines 15-27). The system data is formatted and displayed to an operator and/or provided to a customer for each scanner (col. 3 lines 33-37). The

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imaging communication system includes network 250 which provides the communication link between the web server 120 within the scanner 5 and the remote computer 200 (col. 7 lines 25-29). The system includes a video processing means or display processing module 130 connected with each remote receiving means, converting an electronic image portion of the received wireless transmission into an appropriate format for human-readable display and the display processing module is connected to the monitor 140 for generating the display (col. 4 lines 50-56). The system includes address reading means for examining each received wireless transmission for a corresponding preselected address where the address corresponds to the address of the user or medical professional and formatting the user address and the electronic image representation into a wireless transmission format or TCP packets (col. 8 lines 24-32).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharma et al. in view of Chiang et al. (5839442). Sharma et al. disclose a diagnostic scanner 5 disposed in the scan room to scan a patient with the transmitted beam of ultrasound energy formed in a subject within a scan plane along a scan line when the transducer array is acoustically coupled to the subject (col. 5 lines 8-12) and therefore it

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would be obvious that the scanner would include a patient support supporting a patient in the diagnostic scanner.

5. Sharma et al. disclose a monitor means but do not explicitly teach of a portable monitor unit. In the same field of endeavor, Chiang et al. disclose a portable ultrasound scanning system 10 with a portable display system 14 on a computer system such as a PDA, notebook computer or tablet personal computer (col. 8 lines 66-col. 9 line 11).

The ultrasound system by Chiang comprises data compression circuitry that compresses image data such that the image data can be transferred to a remote location (claim 10) and the data transfer is through a transmission channel which can be a modem or wireless cellular communication channel to a hospital for evaluation (col. 10 lines 32-37).

6. Sharma et al. teach that the system includes an electronic camera to view the patient and connected to the formatting means or imaging mode processing module 100 to format the electronic pictures from the camera to the monitor unit (col. 4 lines 57-col. 5 lines 12). Sharma et al. teach said system to include a remote input means or remote computer 200 through which medical professional inputs information for communication to the workstation, an address memory, from which an address of the workstation and another portable unit is selectable. The system by Sharma includes means for formatting the address, input information into a wireless transmission format, and a transmitting means for wirelessly transmitting the formatted address and information (col. 8 lines 25-32). The system by Sharma further includes an address reading means for reading an address portion of the received wireless communication and determining

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whether the received address portions match a preselected workstation address (col. 8 lines 33-40). The system by Sharma includes means for converting input information portion of the wireless communication whose corresponding address portion matches the preselected workstation address into a human-readable format (col. 10 lines 1-10). Since the system by Sharma uses a computer or processor or PC, it would obviously have an input means such as a keypad and even a microphone where the formatting means formats audio information from the microphone into an appropriate format for wireless transmission such as audio, video, text, images, or graphics (col. 2 lines 37-41). Sharma also teach the use of control means or control processing module 80 for adjusting focusing and scan angle to create the received beam signals (col. 5 lines 33-47).

7. It would have therefore been obvious to one of ordinary skill in the art to use the teaching by Chiang et al. to modify the teaching by Sharma et al. such that the display is more efficiently made available on portable display units for easier access to medical professionals and patients for faster diagnosis.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BAISAKHI ROY whose telephone number is (571)272-7139. The examiner can normally be reached on M-F (7:30 a.m. - 4p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRIAN CASLER/
Supervisory Patent Examiner, Art
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BR
/B. R./
Examiner, Art Unit 3737